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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 Curtis Lee ERVIN,
13 Petitioner,

14 v.

15 Kevin CHAPPELL,¹ Acting Warden of
16 San Quentin State Prison,
17 Respondent.
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Case Number 4-0-cv-1228-CW

DEATH-PENALTY CASE

ORDER GRANTING PETITIONER'S
MOTION FOR ONE-MONTH
EXTENSION OF TIME TO
RESPOND TO RESPONDENT'S
MOTION FOR SUMMARY JUDGMENT

[Doc. No. 240]

19 Petitioner's response to Respondent's Motion for Summary
20 Judgment, (Doc. No. 213), is presently due on November 14, 2012,
21 (Doc. No. 238; see Doc. No. 237). Petitioner seeks a one-month
22 extension of time to file his brief. (Doc. No. 240.) Respondent
23 stipulated to or did not oppose six prior requests for
24 extensions. (See Doc. No. 241 at 1.) However, he opposes the
25 present request because "at some point, a delay becomes
26 excessive." (Id. at 2.)

27 Respondent's point is well taken. However, Petitioner's
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¹ Respondent's name is correctly spelled as indicated here.

1 Motion establishes good cause for an extension, (see Doc. No. 240
2 at 2), and Petitioner "does not anticipate requesting another
3 extension," (id. at 1).

4 Accordingly, the Court grants Petitioner's Motion as
5 follows: Petitioner shall respond to Respondent's Motion for
6 Summary Judgment on or before December 17, 2012; absent
7 compelling circumstances, the Court does not anticipate granting
8 any further extensions of time to oppose summary judgment.

9 IT IS SO ORDERED.

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11 DATED: November 15, 2012



CLAUDIA WILKEN

United States District Judge

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